

REMARKS

In the September 19, 2007 Office action, claims 3 and 22 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Claims 1-37 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,897,621 to Boesch et al. (“Boesch”) in view of U.S. Patent No. 6,460,020 to Pool et al. (“Pool”) and U.S. Patent No. 7,024,383 to Mancini et al. (“Mancini”).

Claims 1, 3, 19, 20, 22, and 37 have been amended. Applicants respectfully request reconsideration in light of the amended claims and the remarks herein.

Telephonic Interview and Rejection Under 35 U.S.C. § 103

Applicants appreciate Examiner Borlinghaus and Examiner Kramer agreeing to conduct a telephonic interview on January 4, 2008 to discuss the September 19, 2007 Office action and the cited references. During the interview, Applicants discussed pending independent claim 1 and the differences between claim 1 and Boesch, Pool, and Mancini. Applicants pointed out how Applicants’ system and methods involved a plurality of transactions, how Applicants’ used “hedging,” “hedging rules,” and “hedging instruction information,” and the concept of hedging on a customer’s behalf, none of which was taught or suggested in the cited references.

At the conclusion of the interview, Applicants agreed to amend the claims in light of the discussed differences, and Examiners Borlinghaus and Kramer agreed to consider a proposed amendment to independent claim 1, in light of the comments made during the telephonic interview. On January 17, 2008, Applicants submitted by facsimile alternative proposals to amend claim 1. On January 25, 2008, Examiner Borlinghaus notified Applicants by email that the proposed amendments to claim 1 should overcome the cited art, though a further search

would be required. Applicants appreciate Examiner Borlinghaus' and Examiner Kramer's consideration of the proposed amendments.

Applicants submit herewith a set of amended claims directed to "Proposal #2" from Applicants' January 17, 2008 facsimile. Claims 1, 3, 19, 20, 22, and 37 are currently amended. Applicants respectfully submit that the prior art of record does not recite at least the following limitations from Applicants' claim 1 as amended:

"receiving by a hedging processor business transaction information regarding a plurality of business transactions...";

"receiving hedging rules from the customer and set by the customer, wherein said hedging rules define a first user-specified event that triggers the hedging processor to initiate an exchange from a first type of currency to a second type of currency on the customer's behalf";
and

"generating...hedging instruction information to provide instructions on whether to exchange from said first type of currency to said second of currency, based on said hedging rules and the occurrence of the first user-specified event."

Applicants respectfully submit that the cited references, alone or in combination, fail to teach at least the following limitations of claim 19 as amended:

"receiving by a hedging processor from a customer business transaction information regarding a plurality of business transactions including";

"receiving by the hedging processor from the customer hedging rules set by the customer, wherein said hedging rules define a user-specified event that triggers the hedging processor to initiate an exchange from a first type of currency to a second type of currency on the customer's behalf"; and

“generating hedging instruction information by the hedging processor to provide instructions to a FX rate provider from the plurality of FX rate providers on whether to exchange from said first type of currency to said second type of currency, based on said hedging rules and the occurrence of the user-specified event”

Similarly, Applicants respectfully submit that none of the cited references alone or in combination teach or suggest at least the following limitations from Applicants’ claim 20 as amended:

“at least one input for receiving business transaction information regarding a plurality of business transactions including purchases or sales of goods by a customer, for receiving hedging rules from the customer and set by the customer, wherein said hedging rules define a first user-specified event that triggers a processor to initiate an exchange from a first type of currency to a second type of currency on the customer’s behalf...” and

“the processor...for generating hedging instruction information...based on said hedging rules and the occurrence of the first user-specified event...”

Similarly, Applicants respectfully submit that none of the cited references alone or in combination teach or suggest at least the following limitations from Applicants’ claim 37 as amended:

“at least one input for receiving business transaction information from a customer regarding a plurality of business transactions including purchases or sales of goods by a customer, for receiving hedging rules from a customer and set by the customer... wherein said hedging rules define a user-specified event that triggers a processor to initiate an exchange from a first currency to a second currency, on the customer’s behalf”; and

“the processor...for generating hedging instruction information...based on said hedging rules and the occurrence of the user-specified event.”

Because the cited references, either alone or in combination, fail to teach or suggest the above limitations Applicants respectfully request withdrawal of the rejection set forth in the September 19, 2007 Office Action over the combination of Boesch, Pool, and Mancini. Applicants also respectfully submit that the independent claims, as amended, are in condition for allowance. Applicants submit that pending claims 2-12, 15-18, and 21-36, which depend directly or indirectly from independent claims 1 and 20, also recite patentable subject matter.

Rejection Under 35 U.S.C. § 112, Second Paragraph

Claims 3 and 22 stand rejected under 35 U.S.C. § 112, second paragraph as being indefinite. Applicant has amended claims 3 and 22, rearranging wording to clarify that “market rate information” refers to “current market exchange rates, including...” Applicants respectfully submit that the amendment to rearrange the wording in claims 3 and 22 clarifies the claims and overcomes the indefiniteness rejection. Applicants respectfully request withdrawal of this rejection.

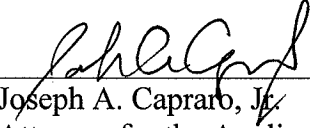
CONCLUSION

Applicants respectfully submit that these remarks accurately reflect the content of the telephonic interview and follow-up correspondence between Applicants and Examiner Borlinghaus. Applicants respectfully request entry of this paper in the record as well as reconsideration, withdrawal of the pending rejections, and allowance of the pending claims. Applicants cordially invite Examiner Borlinghaus and/or Examiner Kramer to contact the undersigned attorney to expedite prosecution and put the claims in condition for allowance.

Respectfully submitted,

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Reg. No.: 36,471

Tel. No.: (617) 526-9800
Fax No.: (617) 526-9899



Joseph A. Capraro, Jr.
Attorney for the Applicants
Proskauer Rose LLP
One International Place
Boston, MA 02110